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C O N F I D E N T I A L SECTION 01 OF 04 COLOMBO 000502

SIPDIS

DEPARTMENT FOR SCA/INSB

E.O. 12958: DECL: 05/06/2019

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SUBJECT: SRI LANKA: PRESIDENT DISCUSSES HUMANITARIAN  
ASSISTANCE WITH CO-CHAIR AMBASSADORS

Classified By: CHARGE D'AFFAIRES JAMES R. MOORE. REASONS: 1.4 (B, D)

¶1. (C) SUMMARY: President Rajapaksa discussed the participation of the international community in ongoing humanitarian relief efforts and future recovery efforts in the conflict-affected north with Co-Chair Ambassadors on May 15. Charge, acting as spokesman for the Co-Chairs, urged the President to honor his April 27 commitment to end combat operations and to hold the safety of civilians in the "safe zone" paramount. The President and his advisors pledged to facilitate the operations of Red Cross medical evacuation and supply boats despite ongoing combat operations. The government remained firm in its position that UNHCR and the ICRC had adequate access to the screening and registration processes for IDPs at Omanthai. President Rajapaksa urged the humanitarian agencies to provide more and better shelters in the IDP camps. Senior Advisor Basil Rajapaksa defended the government's requirement that NGOs working in the humanitarian sector sign MoUs based on a model presented by the government that conflicts with both EU and U.S. fiscal and reporting requirements. The President insisted that recovery and development work in the north would proceed on the government's terms and warned the international community against placing conditions on its assistance. End summary.

PRESIDENT CALLS IN CO-CHAIR AMBASSADORS

¶2. (C) President Rajapaksa summoned representatives of the Co-Chairs at the Head of Mission level to a discussion on humanitarian assistance on May 5. Charge attended for the U.S.; other participants were Japanese Ambassador Takahashi, Norwegian Ambassador Hattrem, EU Head of Delegation Savage, and Swedish Charge Mungenast (representing the Czech EU Presidency). Flanking Rajapaksa were Foreign Minister Bogollagama, Disaster Management Minister Samarasinghe, Senior Advisor Basil Rajapaksa, Head of Presidential Secretariat Lalith Weeratunga, and Foreign Secretary Palitha Kohona. Rajapaksa led by saying it was important to hear all points of view ) not just the official one from his advisors. He stated that his government wanted to see the development of the recently liberated areas of the north proceed as quickly as possible and reach out to the Tamil population through measures such as water and electricity projects. He welcomed the UN's recent allocation of

additional funds to help care for the IDPs, as well as donor efforts to start demining as a prerequisite for resettlement. He also mentioned the need to provide adequate housing for returnees.

¶3. (C) Charge responded on behalf of the Co-Chairs, drawing on points coordinated among the Ambassadors at a meeting at Embassy prior to the encounter with the President. He first mentioned some positive elements of the government's response to the ongoing humanitarian crisis: its efforts to accommodate more than 100,000 displaced persons in transit sites, the start of returns of IDPs to their original homes in the Mannar/Musalli area on April 30, and moves to integrate Tamil political parties into the Sri Lankan mainstream. Charge emphasized that everyone's first priority was the safety of civilians, particularly those in the "safe" or "no-fire zone" (NFZ). It was therefore paramount that both sides abide by their separate commitments to end combat operations.

#### MILITARY OPERATIONS LIMIT RED CROSS ACCESS TO SAFE ZONE

¶4. (C) Rajapaksa replied that the security forces were receiving urgent messages from civilians still inside the LTTE-controlled area. They were urging the Army to break a 12-foot earthwork berm the LTTE used to keep them captive, so that they could escape to the government-controlled side, the President said. He noted that the Air Force had dropped leaflets in his name urging LTTE cadres to surrender. He knew that at least one or two senior LTTE leaders remained

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inside the NFZ, but was not sure whether Tiger supremo Prabhakaran was still there.

¶5. (C) Charge said the Co-Chairs were especially concerned about the dramatic shortage of both food and medicine in the NFZ. He noted that the ICRC had brought in limited quantities of both in late April, but that the quantities were clearly insufficient. He urged the government to cooperate by granting the Red Cross access to the NFZ to perform its humanitarian mission. Basil Rajapaksa said that the Additional Government Agent for the area was still inside the zone and liaising with both the UN and ICRC. He accused the LTTE of hindering shipments of relief supplies, saying that the LTTE cadres had staked the first claim to limited food supplies, leaving the civilians to suffer. The LTTE was seeking a world-wide propaganda bonanza by dramatizing the scarcity of food. He pointed out that the Health Ministry had sent a shipment of medicines with a recent ICRC boat. The President insisted that "from our side," deliveries of food were "no problem." He said the Navy was standing off whenever the ICRC boat approached, "but no one can control the LTTE."

#### GOVERNMENT SAYS MONITORING OF SCREENING AND REGISTRATION ADEQUATE

¶6. (C) Charge noted that both UN Under Secretary John Holmes and Special Rapporteur Walter Kaelin had addressed the issue of UNHCR and ICRC access to civilians as soon as they left the safe zone until they reached the camps. Basil Rajapaksa said that the departure from LTTE-controlled territory did not amount to the crossing of an international border, just "moving from one Sri Lankan village to another." He said that the Army simply performs a body check for weapons and explosives, then puts the displaced persons on buses directly to the former crossing point at Omanthai. Basil claimed there was no screening or registration of IDPs until they reached Omanthai and therefore no reason for the international humanitarian agencies to monitor their treatment at Kilinochchi or any other point north of Omanthai.

#### RELIEF EFFORTS IN IDP CAMPS AND ACCESS FOR NGOS

17. (C) The President welcomed the UN's certification of the facilities at the camps as being "up to international standard" but said the IDPs were not happy with the temporary shelters provided by relief agencies. He noted that two or three families were being accommodated in tents intended for one family. He claimed that the government had provided enough cleared land, but the international community should provide more and better tents. Also, the system of water supply through bowzers was expensive and inefficient.

18. (C) Charge assured the President that the international community wanted to continue to assist the government's emergency relief efforts. While the UN and ICRC were now satisfied with their level of access to the IDP camps, Charge urged strongly that similar access be provided to non-governmental organizations involved in relief efforts. Basil Rajapaksa said 52 NGOs and international organizations have been granted access to the IDP camps, then pushed back, saying that NGOs "only perform work when they are paid for it." The NGOs were now complaining that the donors were not providing funds for relief, he said. Basil claimed that the majority of health assistance was being donated by ordinary Sri Lankan citizens and trucked up to the camps. The President interjected with several anecdotes about NGO staff enjoying high living standards in luxurious accommodations in Colombo. He asserted that some Hindu voluntary organizations were beginning to complain about religious conversions performed by humanitarian relief workers in the camps.

PRESIDENT WANTS RECONSTRUCTION ON HIS TERMS

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19. (C) Basil Rajapaksa repeated earlier allegations that NGOs had spent a great deal of money building bunkers for the LTTE in the North with tsunami funds but had done no real development work. He stated that any NGO that could demonstrate adequate resources could sign an agreement with the government concerning the scope of its activities and then gain access to IDP camps. He complained, however, that donors were now pressuring the NGOs not to sign the Memoranda of Understanding (MoUs). EU Head of Delegation Bernard Savage responded that there may have been some abuses by NGOs, but it was far more common to "see them digging latrines." He explained that the MoUs contained several provisions that were contrary to EU public finance regulations. He urged the government to bracket the issue by suspending the discussion of the MoUs for the duration of the current emergency.

110. (C) The President stated that it was time for the international community to come to the aid of Sri Lanka, but that it was the government's duty to supervise these activities. He made it clear that the GSL insisted on maintaining control of the process. "Don't try to dictate to us by imposing conditions. This will be done on our terms." If necessary, the government would refuse international assistance, stop development projects in the south and devote resources to the conflict-impacted areas instead. Basil Rajapaksa added that discussion with the NGOs had been continuing over the MoUs for three to four months, and that the UN and other international players were present at those discussions.

CO-CHAIRS URGE SPEEDY RETURNS OF IDPS

111. (C) Charge urged the government to accelerate the process of returning IDPs to their home villages. He said the government should not wait for the entire north to be demined, but to proceed step by step, returning IDPs as soon as the demining organizations could pronounce the villages safe. He noted that many donors, including all of the Co-Chairs bilaterally, were contributing to demining efforts. He welcomed the fact that older people were now being allowed to leave the camps and asked the government to extend this to other groups not deemed to pose a threat, such as

pregnant women, those with young children, and the handicapped. The President claimed that there had been abuses after the tsunami where people claiming to be relatives of the displaced had them released from temporary sites, only to employ them as domestic servants or sell them to traffickers.

He vowed this would not happen again. "We have to be careful." Basil Rajapaksa pointed out that the government had no economic interest in keeping people in IDP camps longer than necessary, since their care and maintenance was very expensive.

¶12. (C) COMMENT: The ICRC (strictly protect) told us on May 5 that the LTTE was not currently posing obstacles to its medical evacuation boat's access to the "safe zone," but that the Sri Lankan Army had reservations because of ongoing military operations and heavy fighting as it pushed south into the NFZ. However, on May 6 Embassy learned that clearance had been granted for the ICRC boat the following day. It is becoming increasingly difficult to negotiate pauses in the fighting to allow relief operations to continue even at the current limited and inadequate levels. The MoUs continue to be a bone of contention. Conflicts between the model MoUs proposed by the government and USAID fiscal regulations and other legal considerations could become deal-breakers, preventing international non-governmental organizations from using USAID funding. These issues include requirements that some cash be provided to GSL line ministries, that NGOs comply with GSL reporting and auditing requirement which are different from USAID's, and provisions concerning ownership of data and confidentiality which would

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be in breach of USAID rules. We do not know the specifics of the EU's reservations, but they are probably similar, not identical, to ours. The EU suggestion that the GSL postpone the imposition of this requirement until the end of the current emergency strikes us as sensible and necessary, but appears to have fallen on deaf ears.

MOORE